

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE:	)	Case No. 98-90875
	)	
RICHARD D. STEPHENS and	)	CHAPTER 7
LINDA B. STEPHENS,	)	
	)	
Debtors	)	
_____	)	
	)	
LINDA B. STEPHENS,	)	CONTESTED MOTION
	)	
Movant,	)	
	)	
v.	)	
	)	
EDUCATIONAL CREDIT	)	JUDGE BIHARY
MANAGEMENT CORPORATION,	)	
	)	
Respondent.	)	

**ORDER**

One of the named debtors, Linda B. Stephens, filed a “Notice of Requirement of Response to Motion to Discharge Debt” on May 24, 2004. This notice is improper in several respects and was never authorized by the Court. The notice references a “motion to discharge student loan” which is not on file in this case. Moreover, student loans cannot be discharged by motion. On July 13, 2004, Educational Credit Management Corporation (“ECMC”) filed a response, objecting to any discharge of its claim against debtor Richard D. Stephens as a result of the *pro se* notice or any unfiled and unserved motion to discharge debt. The response

filed by ECMC is well-taken, and any “motion to discharge a student loan debt” must be and is hereby DENIED.

IT IS SO ORDERED, this \_\_\_\_\_ day of July, 2004.

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JOYCE BIHARY  
UNITED STATES BANKRUPTCY JUDGE

**DISTRIBUTION LIST**

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